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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SWITCH, LTD. a Nevada limited liability
company,

Plaintiff,

vs.

STEPHEN FAIRFAX; MTECHNOLOGY;
and DOES 1 through 10; ROE ENTITIES
11 through 20, inclusive,

Defendants.

Case No.: 2:17-cv-02651-GMN-VCF

**STIPULATED DISCOVERY PLAN AND
SCHEDULING ORDER**

Counsel for plaintiff Switch, Ltd. ("PLAINTIFF") and defendants Stephen Fairfax et al. ("DEFENDANTS") submit this Stipulated Discovery Plan and Scheduling Order in compliance with LR 26-1(e) as follows:

1. Meeting. Pursuant to Fed. R. Civ. P. 26(f) and LR 26-1, the early case conference was held at 1:30 p.m. PST, on July 10, 2018 and was attended by counsel for Switch, Ltd. and for Stephen Fairfax et al.

2. Pre-Discovery Disclosures. The parties will exchange the information required by LR 26-1(a)(2) on or before **July 24, 2018**, fourteen (14) days after the mandatory Fed. R. Civ. P. 26(f) conference.

1 3. Discovery Plan. The parties jointly propose to the Court the following
2 discovery plan:

3 a. Subject of Discovery. Discovery will be needed on the following
4 subjects: Discovery will be needed on the issues raised by the complaint and the answer thereto.

5 b. Discovery Cut-Off Date. The last day for discovery shall be
6 **January 7, 2019** (180 days from the date of the mandatory Fed. R. Civ. P. 26(f) conference).
7 This does not exceed the presumptive outside limits LR 26-1(e) (1) sets for completing discovery.

8 c. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts). Disclosure of
9 experts shall proceed according to Fed. R. Civ. P. 26(a)(2) and Fed. R. Civ. P. 33, except that:

10 [i] The disclosure of experts and expert reports shall occur on
11 or before **November 7, 2018**, which is sixty (60) days
12 before the discovery cut-off date, and

13 [ii] The disclosure of rebuttal experts and their reports shall
14 occur on or before **December 7, 2018**, which is thirty (30)
15 days before the discovery cut-off date.

16 d. Amending the Pleadings and Adding Parties. The parties shall have
17 until **October 8, 2018**, ninety (90) days before the discovery cut-off date, to file any motions to
18 amend the pleadings or to add parties. This date does not exceed the outside limit presumptively
19 set by LR 26-1(e)(2).

20 e. Interim Status Report. The parties shall file the interim status report
21 required by LR 26-3 on **November 7, 2018**. The undersigned counsel certify that they have read
22 LR 26-3 and that the due date for the interim report is agreed not to be later than sixty (60) days
23 before the discovery cut-off date.

24 f. Dispositive Motions. The parties shall have until **February 5,**
25 **2019**, thirty (30) days after the discovery cut-off date, to file dispositive motion(s), which does
26 not exceed the outside limit of thirty (30) days following the discovery cut-off date that LR 26-
27 1(e)(4) presumptively sets for filing dispositive motions.

g. Pretrial Order. The pretrial order shall be filed on **March 7, 2019**, thirty (30) days after the date set for filing dispositive motions in the case. This deadline is suspended if a dispositive motion is timely filed. The disclosures Fed. R. Civ. P. 26(a)(3) requires shall be made in the joint pretrial order.

h. Extensions or Modifications of the Discovery Plan and Scheduling Order. LR 26-4 governs modifications or extensions of this discovery plan and scheduling order. Any stipulation or motion must be made not later than **December 17, 2018**, ~~twenty (20)~~ **21 days prior to the expiration of the subject discovery deadline** to the discovery cut-off date and comply fully with LR 26-4.

IT IS SO STIPULATED.

Dated: July 16, 2018

Respectfully Submitted,

/s/ F. Christopher Austin
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Attorneys for Defendants Stephen Fairfax and M Technology

ORDER

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE
7-16-2018

DATED